

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AKILAH SMART

v.

MR. J. BARRY JOHNSON, et al

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CIVIL ACTION

NO. 10-1706

ORDER

**AND NOW**, this 20th day of October, 2010, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus, the Report and Recommendation filed by United States Magistrate Judge Jacob P. Hart and the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Hart is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.

  
TIMOTHY J. SAVAGE, J.